REMARKS

Claims 1-37 and 100-110 are now pending. Applicant has amended claims 1 and 8-10, cancelled claims 38-99, and added claims 100-110. Applicant has amended claims 8-10 to correct minor typographical errors.

The Examiner has rejected claims 1-37 under 35 U.S.C. § 103(a) as being unpatentable based on the references as follows:

Claims	Reference
1-10	Sasaki and Trueblood
11-12, 16, 22, 25, 27-30, 36-37	Sasaki, Trueblood, and Barrus
13-15	Sasaki, Barrus, and Barker
17-19	Sasaki and Brown
20-21	Sasaki, Barrus, and Infogate
23-24	Sasaki, Burrus, and Greenberg
26	Sasaki, Burrus, Greenberg, and Snippets
31-35	Barrus

Applicant respectfully submits that the Examiner has not established even a *prima facie* case that that claims 13-15, 17-24, and 26 are unpatentable. The Examiner states that "Sasaki fails to explicitly teach representing the real-time availability status of each entity in a persistent window." (Office Action, May 6, 2004, p. 8.) The Examiner rejects claims 13-15, 17-24, and 26, which recite a "persistent window," based on Sasaki in various combinations with Barker, Brown, Burrus, Greenberg, and Snippets. The Examiner, however, has failed to even allege that these other references suggest a "persistent window." Since the Examiner does not even attempt to show that any of these references disclose a persistent window, applicant respectfully submits that a *prima facie* case of unpatentability has not been established for these claims.

Applicant respectfully submits that the Examiner has also not established even a *prima facie* case that claims 31-35 are unpatentable. The Examiner points to Burrus as only showing "the storing of ticket/viewer pair" information. (Office Action, May 6, 2004, p. 23.) These claims, however, recite the steps of "providing a user interface," accepting contact availability data," "dynamically determining a real-time availability status," and "graphically representing the real-time availability status." Because the Examiner has failed to even mention these steps in the rejection of these claims, a *prima facie* case of unpatentability has not been established for these claims.

Applicant has amended claims 1-37 to recite "providing a user interface <u>through which a user specifies</u> each entity <u>whose contact availability is to be determined</u>" and newly added claims 100-110 recite similar language. In rejecting claims 1-30 and 36-37, the Examiner relies upon Sasaki as teaching "providing a user interface for specifying an entity." (Id. At 8.) The claims explicitly recite that the "user specifies" the entities "whose contact availability is to be determined." Sasaki, in contrast, describes a chat environment in which the statuses of the chat participants are displayed to each other participant. Sasaki, however, neither teaches nor suggests that a user can specify those other participants whose statuses are to be displayed. Applicant's claims are directed to a technique that provides the user the flexibility to select the entities whose availability is to be represented. This technique allows the user to decide who should be monitored.

Based on the above amendments and remarks, applicant respectfully request reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.
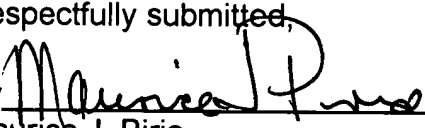
Respectfully submitted,

Perkins Coie LLP

Dated: 9/7/04

Respectfully submitted,

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